

01-18-05

RCE Iw

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Mail Stop RCE Commissioner For Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	Application Number:	09/470,944
	Filing Date:	December 22, 1999
	First Named Inventor:	Gerald J. Gundling
	Group Art Unit:	1637
	Examiner Name:	Alexander H. Spiegler
	Attorney Docket No.	ABB1207P1390US

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 C.F.R. §1.114** Note: If the RCE is proper, any previously-filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _.
 - ii. ☐ Other: _____
 - b. ☒ Enclosed:
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement
 - iv. ☒ Other: Three-Month Petition For Extension Of Time.
2. **Miscellaneous.** Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of:
 - a. ☐ _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(i) required)
 - b. ☐ Other _____
3. **Fees.** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The filing fee has been calculated as shown below:

Small Entity						Large Entity	
For	Claims Remaining After Amendment	Claims Previously Paid For	Extra Claims	Rate	Fee	Rate	Fee
Basic Fee					\$385.00		\$790.00
Total Claims	18			x \$9.00	\$	x \$18.00	\$
Indep. Claims	1			x \$44.00	\$	x \$88.00	\$
Multiple Dependent Claims Present				+ \$150.00	\$	+ \$300.00	\$
				TOTAL	\$	TOTAL	\$790.00

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☒ A check in the amount of \$790.00 to cover the filing fee is enclosed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayment, to Deposit Account No. 23-0785.

- i. ☐ RCE filing fee
☐ Extension of time fee
☐ Other _____

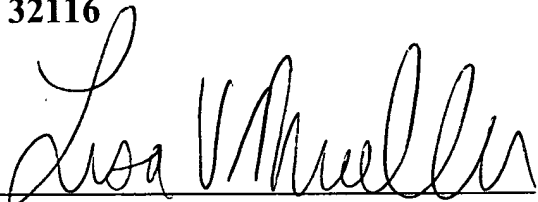
4. **Correspondence Address:**

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
Citicorp Center, Suite 3800
500 West Madison Street
Chicago, Illinois 60661-2511
Telephone: (312) 876-1800
Facsimile: (312) 876-2020

Customer Number: 32116

Date: January 14, 2005

Attorney's Signature


Lisa V. Mueller, Reg. No. 38,978

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this Request For Continued Examination Transmittal and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

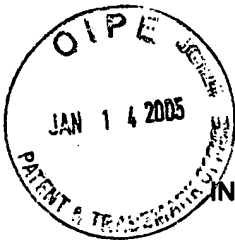
Express Mail Label No.: EV 576544235 US

Date of Deposit: January 14, 2005

Typed/Printed Name of Person Signing: Aidah Abdallah

Signature:





PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald Gundling

Serial No.: 09/470,944

Filed: December 22, 1999

For: NUCLEIC ACID ISOLATION METHOD
AND KIT

Attorney Docket No.: ABB1207P1390US
(6653.US.01)

Examiner: Alexander H. Spiegler

Group Art Unit: 1637

Certificate of Mailing By Express Mailing:

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent by Express Mail No. EV 576544235US to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on January 14, 2005.

Aidah Abdallah

AMENDMENT

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is being submitted in connection with the Office Action mailed on May 13, 2004 in the above-identified application. A Notice of Appeal was filed on August 19, 2004. A Request for Continued Examination and the fee therefor accompanies this amendment. A three-month extension of time to respond is requested, and the fee therefor accompanies this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. 23-0785 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper. Reconsideration of the application in view of the following amendments and remarks is respectfully requested.